



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

June 22, 2022

**VIA ECF**

Hon. Laura Taylor Swain  
United States Chief District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re: *United States v. Santos-Reynoso, 21 Cr. 268 (LTS)***

Dear Judge Swain:

The Government writes in further opposition to defendant Yenny Santos-Reynoso's motion to dismiss the indictment on the basis that the illegal reentry statute she is charged with (8 U.S.C. § 1326) is facially unconstitutional because it violates the Equal Protection Clause of the Fifth Amendment. Dkt. 30. Earlier today, Judge Keenan issued the attached decision in *United States v. Fidencio Crespo-Castelan*, 22-CR-09, in which he rejected an identical argument.

Respectfully Submitted,

DAMIAN WILLIAMS  
United States Attorney

by: /s/ Kevin Mead  
Kevin Mead  
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